

(Sec. 6.)

## SECTIONS.

6. Levy of one anna cess on every rupee of land-revenue for purposes of Act.
- Proviso.
7. Rules for assessment.
8. Cess to be levied as land-revenue.
- 9 to 14. [*Repealed.*]
15. Sindh and City of Bombay excluded.
16. Short title.

## BOMBAY ACT No. III OF 1869[\*]:

(The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 3rd April, 1869.)

An Act to provide in the Presidency of Bombay funds for expenditure on objects of local public utility and improvement[b].

WHEREAS it is expedient to provide funds for local works of public utility and convenience, and to make better provision for education and sanitary improvements in the Presidency of Bombay[b]; It is enacted as follows:—

1 to 5.—[Power to define limits of districts; Local fund committees; officers and establishments.] Repealed (except as to Aden) by Bom. Act I of 1884.

6. It shall be lawful for Government to levy, for the purposes of this Act, on the conditions and in the manner hereinafter described, from all lands in the Presidency of Bombay, except jágir-lands not under the general Regulations, and also from every farmer of land or saír revenue in respect of any such farm taken from the Collector or other officer on behalf of Government after the date on which this Act comes into operation, a cess not exceeding one anna on every rupee that is assessable to the ordinary land-revenue, or that would have been so assessable had there been no alienation of such revenue, and on every rupee that is payable by such farmer of land or saír revenue in respect of such farm:

Provided that in respect of lands of which a settlement for a term of years is for the first time made after this Act comes into operation such cess be imposed at the time when such settlement is made, and at no other period during the currency of the term.

[\*] The net proceeds of the cess levied under Bom. Act III of 1869 are to be credited to the Local Fund constituted by Bom. Act I of 1884—see s. 44 of that Act, in Vol. III of this Code.

[b] Words repealed (except as to Aden) by Bom. Act I of 1884 are omitted.

Rules for  
assessment.

7. In assessing this cess on alienated villages as defined in the [a] Bombay Land-revenue Code, 1879 [b], the following rules shall be adopted:—

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I.—If the village has been surveyed and assessed on the principles laid down in the [a] Bombay Land-revenue Code, 1879 [b], the cess shall be fixed on the total annual assessment of the village as made by the survey-officers.

II.—If the village has come under summary settlement under (Bombay) Act II [c] or (Bombay) Act VII [d] of 1863, the cess shall be fixed, until the village is brought under the preceding rule, on the total annual assessment as settled for the purposes of summary settlement.

III.—On villages not included in the preceding rules, the cess shall be fixed on the old or kammāl rate recorded in the Collector's books; but [e] if no such rate is so recorded or if the rate so recorded is [e] objected to by the holder or proprietor of the alienated village, then the cess may be fixed as agreed on by the Collector and such holder or proprietor, or failing agreement, then by a rough survey and assessment to be made by survey-officers, the expense of such rough survey being borne half by Government and half by the holder or proprietor of such village.

Cess to be  
levied as land-  
revenue.

8. The cess described in sections 6 and 7 [f] shall be levied in the same manner, and under the same provisions of law, as the ordinary land-revenue and through the agency of such officers as shall from time to time be appointed for the purpose by the Collector, acting under the general control of Government or of the [g] Commissioner of the division [g], or other officer from time to time duly empowered on that behalf by Government.

The provisions of the law relative to the assistance to be given to superior holders for the recovery of their dues from their tenants and occupants under them shall be applicable to all superior holders, whether of alienated or unalienated land in respect of the recovery of this cess from their tenants and occu-

[a] "The" was inserted by Act XVI of 1895.

[b] This reference was substituted for the original reference by Bom. Act I of 1884, s. 75 (a), which, however, does not extend to Aden. The Act of 1879 is printed *infra* and the Act of 1884 in Vol. III of this Code.

[c] Printed *supra*, p. 17.

[d] Printed *supra*, p. 65.

[e-e] These words were substituted for the original words by Bom. Act I of 1884, s. 75 (c), which, however, does not extend to Aden.

[f] Words repealed by Bom. Act III of 1886 are omitted.

[g-g] These words were substituted for the original words by Bom. Act I of 1884, s. 75 (b), which, however, does not extend to Aden.

1869: Bom. Act III.] *Local Funds. (Secs. 15-16.)*

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1872: Bom. Act I.] *Police (Bombay Town). (Secs. 2-4.)*

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pants, and shall be applicable also to occupants of land under the [a] Bombay Land-revenue Code, 1879, [b], for the recovery of this cess from their tenants or joint occupants.

9 to 13.—[*Accounts; assignments; administration of other funds; power to make rules; "Collector" and "Sub-Collector" defined.*] Repealed (except as to Aden) by Bom. Act I of 1884.

14.—[*Cess collected previous to operation of Act.*] Repealed by Act XII of 1873.

15. This Act is not applicable to the Province of Sindh or to the City of Bombay. Sindh and City of Bombay excluded. Short title.

16. This Act may be cited as the Bombay Local Funds Act, 1869.

### BOMBAY ACT No. I of 1872.

(The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 13th June, 1872.)

#### An Act to amend Act XIII of 1856 [c].

WHEREAS it is expedient to amend the law relating to the Bombay City Police Superannuation Fund, and to provide for the granting of pensions to members of the Bombay City Police-force in cases not provided for by Act XIII of 1856 [c]; It is hereby enacted as follows:—

1.—[*Repeal of enactments.*] Repealed by Act XII of 1876.

2. For section 17 of the said Act the following section shall be substituted:—

[Printed in Vol. I of this Code, p. 78.]

3. The fees levied and all sums which the Commissioner of Police is entitled to retain under the provisions of section 28 [d] of Act XLVIII of 1860 [e] shall be paid and transferred to the credit of the Bombay City Police Superannuation Fund and be applied as hereinafter provided.

4. For section 18 of the said Act the following section shall be substituted:—

[Printed in Vol. I of this Code, p. 78.]

Preamble.  
Substitution of new section for section 17, Act XIII, 1856.

Poundage-fees, etc., to be paid to fund.

Substitution of new section for section 18, Act XIII, 1856.

[a] "The" was inserted by Act XVI of 1895.  
[b] This reference was substituted for the original reference by Bom. Act I of 1884, s. 75 (a), which, however, does not extend to Aden.  
[c] Printed in Vol. I of this Code, p. 74.  
[d] Printed in Vol. I of this Code, p. 114.  
[e] Portion repealed by Act XII of 1876 is omitted.